

I hereby certify that this correspondence is being sent by facsimile transmission
to Ex. H. Lee at Fax No.: 703-308-7722

PATENT
002558-060520US
BRP00081

On December 6, 2001
TOWNSEND and TOWNSEND and CREW LLP

By: Erica L. Canonizado
Erica L. Canonizado

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PETTIPIECE et al.

Application No.: 09/536,932

Filed: March 27, 2000

For: SPECTRAL IMAGING APPARATUS
AND METHODOLOGY

Examiner: H. Lee

Art Unit: 2877

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed June 6, 2001, please amend the above-identified
application as follows:

IN THE CLAIMS:

FAX COPY RECEIVED

DEC 6 2001

Please cancel claims 5-11.

TECHNOLOGY CENTER 2800

12. (Once Amended) A spectral imaging system configured to provide an image of a
sample, comprising:
a source for illuminating said sample with radiation within a first band of wavelengths,
wherein said first band of wavelengths excites regions within said sample causing said regions to emit
radiation within a second band of wavelengths;
an interferometer for spectrally resolving said wavelengths within said second band of
wavelengths, wherein said interferometer creates an interferogram of said sample that is superimposed on an
image of said sample transmitted by said interferometer, wherein said interferometer includes:

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

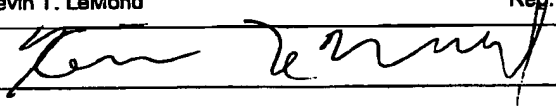
Approved for use through 10/31/2002. OMB 0651-0031

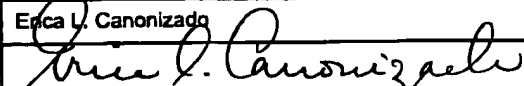
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/536,932	
	Filing Date	March 27, 2000	
	First Named Inventor	Pettipiece, Kenneth J.	
	Group Art Unit	2877	
	Examiner Name	H. Lee	
Total Number of Pages in This Submission	8	Attorney Docket Number	002558060520

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
		FAX COPY RECEIVED DEC 6 2001 TECHNOLOGY CENTER 2800

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm and Individual name	Townsend and Townsend and Crew LLP Kevin T. LeMond Reg. No. 35,933
Signature	
Date	December 6, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being facsimile transmitted to 703-308-7722 on December 6, 2001	
Typed or printed name	Erica L. Canonizado
Signature	
Date	December 6, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1267772 v1

PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 920**Complete if Known**

Application Number	09/536,932
Filing Date	March 27, 2000
First Named Inventor	Pettipiece, Kenneth J.
Examiner Name	H. Lee
Group Art Unit	2877
Attorney Docket No.	002558-060520US

FAX COPY RECEIVED

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	208	180	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20**			
3**			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	920
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
128	180	128	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
188	900	188	900	Request for expedited examination of a design application	

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$920)

SUBMITTED BY

Name (Print/Type)

Kevin T. LeMond

Registration No. (Attorney/Agent)

35,933

Telephone

415-576-0200

Signature

Date

December 6, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. SF 1257764 v1

Atty Docket No. 002558-060520US

PTO FAX NO.: 703-308-7722

ATTENTION: Examiner H. Lee
TELEPHONE NO.: 703-305-0538

Group Art Unit 2877

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER H. Lee

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Kenneth James Pettipiece and William Bradshaw Amos, Application No. 09/536,932, filed March 27, 2000 for SPECTRAL IMAGING APPARATUS AND METHODOLOGY is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal form
2. Fee transmittal (duplicate)
3. Petition to Extend Time (duplicate)
4. Amendment (6 pages)

FAX COPY RECEIVED

DEC 6 2001

TECHNOLOGY CENTER 2800

Number of pages being transmitted, including this page: 12

Dated: December 6, 2001


Erica L. Canonizado

PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (415) 576-0300

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: 415-576-0200
Fax: 415-576-0300